

Case No: 23-13097-E

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**IN THE UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT**

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WILLIAM COREY, et al.  
*Appellants,*  
v.  
ROCKDALE COUNTY, et al.  
*Appellees.*

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ON APPEAL FROM THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA, ATLANTA DIVISION  
DISTRICT COURT DOCKET NO: 1:22-cv-03918-MLB

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**DISCLOSURE OF EVENTS CONCERNING THE CASE AFTER THE FILING  
OF BRIEFS**

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APPELLANTS

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Certain events have occurred which affect the partial disposition of this case. Counsel deems it necessary to inform the Court of these developments.

William “Billy” Corey is 92 years old. Because of his increasing age and seeking to put his affairs in order, Corey earlier in 2024, entered into a contract for the sale of the real property which is the subject matter of this appeal. This contract for sale was purchased by Rockdale County. Corey alleged in his Complaint in paragraphs 142 and 143 that the action of Rockdale County is consist with its desire to acquire his property and was the cause of the difficulty in obtaining permission to operate the Quik Trip on his property. After the purchase of the contract Corey and the Development Authority of Rockdale County closed the transaction on May 15, 2024. A copy of the Limited Warranty Deed is attached to this filing. Corey as part of the closing did not surrender his claims pursuant to this appeal.

The Appellants suggest the sale moots Count I of the Complaint which alleges a cause of action for injunction of the ordinance of Rockdale County which is in dispute. However, Count II which alleges certain constitutional damages claims pursuant to 42 U.S.C. § 1983, and Count III which alleges a claim for attorney fees and expenses are still extant.

Respectfully submitted this 28<sup>th</sup>  
day of October, 2024



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Type: GEORGIA LAND RECORDS  
Recorded: 5/15/2024 10:16:00 AM  
Fee Amt: \$25.00 Page 1 of 6  
Transfer Tax: \$0.00  
Rockdale, Ga. Clerk Superior Court  
Janice Morris Clerk of Superior and State Courts

Participant ID: 5858382069

**BK 7785 PG 277 - 282**

After Recording Return To:  
Strickland & Strickland, LLP  
P.O. Box 70  
Covington, GA 30015-0070

For Informational Purposes  
Only:  
Tax/Map ID 010002004A,  
010002004  
and 0100020005.

## LIMITED WARRANTY DEED

### STATE OF GEORGIA COUNTY OF ROCKDALE

**THIS INDENTURE**, made this 14<sup>th</sup> day of May, 2024 between **U.S. ENTERPRISES, INC.**, a Georgia profit corporation (**as to a 26.7% interest**) and **WILLIAM E. COREY**, an individual resident of the State of Georgia, of the first part, (**as to a 73.3% interest**) hereinafter collectively called "Grantor", and the **DEVELOPMENT AUTHORITY OF ROCKDALE COUNTY**, a public body corporate and politic, of the State of Georgia, of the second part, hereinafter called "Grantee" (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

**WITNESSETH**, that the said party of the first part, for and in consideration of the sum of Ten Dollars (\$10.00), and other good and valuable consideration, in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged has granted, bargained, sold, and conveyed and by these presents does grant, bargain, sell and convey unto the said party of the second part, and assigns as described in the attached **Exhibit "A"**.

The Property herein described in conveyed subject to those matters set forth on **Exhibit "B"** attached hereto and by reference made a part hereof (the "Permitted Exceptions").

**TO HAVE AND TO HOLD** the said bargained premises, together with all and singular the rights, members and appurtenances thereof to the only proper use, benefit and behalf of the said party of the second part, and assigns, forever, **IN FEE SIMPLE**.

**AND** the said party of the first part, for its successors and assigns, will warrant and forever defend the right and title to the above-described property unto the said party of the second part, and assigns, against the lawful claims of all persons claiming by, through or under the party of the first part, but not otherwise.

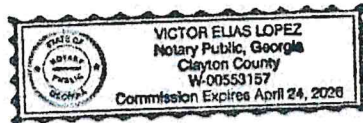
IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and affixed its seal the day and year first above written.

Signed, sealed and delivered  
in the presence of:

Charles W. Sanford  
Unofficial Witness

Victor Elias Lopez  
Notary Public

{Notary Seal}



U.S. ENTERPRISES, INC., a Georgia profit corporation

By: William E. Corey  
William E. Corey, CEO and CFO

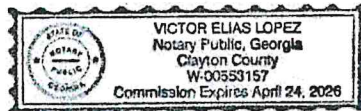
{Corporate Seal}

Signed, sealed and delivered  
in the presence of:

Charles W. Sanford  
Unofficial Witness

Victor Elias Lopez  
Notary Public

{Notary Seal}



William E. Corey, LS  
WILLIAM E. COREY, an individual  
resident of the State of Georgia

## **EXHIBIT "A"**

**ALL THOSE TRACTS OR PARCELS** of land lying and being in Land Lots 203, 204 and 213 of the 16<sup>th</sup> Land District of Rockdale County, Georgia, and being identified as Tracts A, B and C, all as shown on Lot Reconfiguration Plat of 010002004A, 0100020004 & 0100020005, by Long Engineering, certified by Jaime F. Higgins, Georgia R.L.S. No. 2802, said plat dated 10/12/2022, and recorded 03/21/2023, in Plat Book 42, Page 110 with the Clerk of Superior Court of Rockdale County, Georgia.

For Informational Purposes Only: Tax/Map ID 010002004A, 010002004 and 0100020005.



## EXHIBIT "B"

1. State and County real property tax for 2024 and subsequent years.
2. Lease as evidenced by that certain Ground Lease by and between William E. Corey ("Lessor") and Corey Companies, Inc. d/b/a Corey Media, a Georgia corporation ("Lessee"), dated November 1, 2006, filed for record December 22, 2006 at 12:05 p.m., recorded in Deed Book 4124, Page 70, Records of Rockdale County, Georgia.
3. General Permit from W. E. Hardeman to Southern Bell Telephone and Telegraph Co. Incorporated, dated January 27, 1936, recorded in Deed Book V, Page 249, aforesaid Records.
4. Easement from W. E. Hardeman to Georgia Power Company, dated April 4, 1938, recorded in Deed Book V, Page 490, aforesaid Records.
5. Easement from Mrs. Annie Lee Sigman to American Telephone and Telegraph Company, dated July 23, 1947, filed for record August 6, 1947 at 9:00 a.m., recorded in Deed Book Z, Page 248, aforesaid Records.
6. Easement from B. E. Cooper to Georgia Power Company, dated January 29, 1952, recorded January 31, 1952, recorded in Deed Book 30, Page 184 (top), aforesaid Records.
7. Right of Way Deed from Southern Bell Telephone & Telegraph Company to State Highway Department of Georgia, dated September 1, 1960, filed for record November 2, 1960 at 9:20 a.m., recorded in Deed Book 38, Page 486, aforesaid Records.
8. Right of Way Deed from DeKalb Center Associates, a Georgia limited partnership to Department of Transportation, dated February 1, 1989, filed for record February 20, 1989 at 3:49 p.m., recorded in Deed Book 459, Page 224, aforesaid Records.
9. Right of Way Deed from A.T.&T. Communications of the Southern States, Inc. to Department of Transportation, dated March 5, 1990, filed for record April 2, 1990 at 4:51 p.m., recorded in Deed Book 552, Page 226, aforesaid Records.
10. Sewer Easement from CFN (1-20) Inc. to The City of Conyers, Georgia, dated December 30, 1991, filed for record February 11, 1992 at 3:07 p.m., recorded in Deed Book 707, Page 110, aforesaid records.
11. Covenants and restrictions as set out in that certain Limited Warranty Deed from CFN (1-20) Inc., a Delaware corporation to William E. Corey and U.S. Enterprises, Inc., a Georgia corporation, dated as of August 9, 1996, filed for record August 15, 1996 at 2:22 p.m., recorded in Deed Book 1266, Page 118, aforesaid Records; but omitting any restriction based on race, color, religion, sex, handicap, familial status, or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42, Section 3607 of the United States Code or (b) relates to handicap but does not discriminate against handicapped persons.
12. Grant of Communication Systems Right-of-Way Easement from William E. Corey and US Enterprises, Inc. to AT&T Corp., dated September 25, 2002, filed for record October 1, 2002 at 12:53 p.m., recorded in Deed Book 2441, Page 86, aforesaid Records.

13. Grant of Communication Systems Right-of-Way Easement from William E. Corey and US Enterprises, Inc. to AT&T Corp., dated March 11, 2002, filed for record August 29, 2005 at 4:18 p.m., recorded in Deed Book 3575, Page 298, aforesaid Records.
14. All those matters as disclosed by that certain plat recorded in Plat Book A, Page 105, aforesaid Records.
15. All those matters as disclosed by that certain plat recorded in Plat Book D, Page 282, aforesaid Records.
16. All those matters as disclosed by that certain plat recorded in Plat Book 42, Pages 110 and 111, aforesaid Records.



### CERTIFICATE OF SERVICE

This is to certify on October 28, 2024, the foregoing **DISCLOSURE OF EVENTS CONCERNING THE CASE AFTER THE FILING OF BRIEFS** by was electronically filed with the Clerk of the United States Court of Appeals for the Eleventh Circuit. Per the Eleventh Circuit's ECF Guide, § 7, service upon Appellees' counsel of record will be completed by the ECF system's automatic email notice on the following:

Thomas M. Mitchell, Esq. Carothers & Mitchell, LLC 1809 Buford Highway Buford, Georgia 30518	William J. Linkous, III, Esq. Hall County Law Department P.O. Box 1435 Gainesville, Georgia 30503
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This 28<sup>th</sup> day of October, 2024.



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